

PROB 12C  
(7/93)

**United States District Court**  
**for**  
**District of New Jersey**  
**Superceding Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: MONTILLA, Marcos

Cr.: 93-00444-001

Name of Sentencing Judicial Officer: John T. Curtin, USDJ, Western District of New York

10/26/92: Jurisdiction was transferred to New Jersey and assigned to Chief U.S. District Court Judge John F. Gerry.

02/14/06: This case was subsequently re-assigned to the Honorable Jose L. Linares, U.S. District Court Judge.

Date of Original Sentence: 10/17/91

Original Offense: Count 1: Possession of Cocaine with Intent to Distribute, 21 U.S.C. § 841 (a)(1);  
Count 2: Conspiracy to Possess with Intent to Distribute Cocaine, 21 USC § 846.

Original Sentence: 41 months BOP on each count, to run concurrently, 3 years supervised release on each count, to run concurrently, \$100 special assessment (satisfied 02/04/93). Special conditions include drug testing/treatment at the discretion of the U.S. Probation Office.

Type of Supervision: TSR

Date Supervision Commenced: 07/24/92

Assistant U.S. Attorney: Paul Matey

Defense Attorney: Lisa Mack, AFPD

**PETITIONING THE COURT**

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	The offender has violated the supervision condition which states ' <b>You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.</b> '
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On or about June 3, 1993, Marcos Montilla departed the District of New Jersey without permission of the court or probation officer. A close relative advised Montilla's probation officer that he returned to the Dominican Republic.

The Probation Office has determined this conduct constitutes a **Grade C violation.**

- 2           The offender has violated the supervision condition which states '**You shall notify the probation officer within 72 hours of any change of residence or employment.**'

On or about June 3, 1993, Marcos Montilla changed his residence without notifying the probation officer.

The Probation Office has determined this conduct constitutes a **Grade C violation.**

- 3           The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'

On or about January 16, 2006, Montilla was arrested by the New York City Police Department on a charge of Aggravated Harassment. This charge stemmed from threatening phone calls that Montilla reportedly placed to his ex-girlfriend causing her to fear for her safety. This charge is currently pending.

The Probation Office has determined this conduct constitutes a **Grade C violation.**

I declare under penalty of perjury that the foregoing is true and correct.

*Justine P. Meddick*  
By: Justine P. Meddick  
U.S. Probation Officer  
Date: 03/10/06

THE COURT ORDERS:

- ☒ The Issuance of a Warrant  
☐ The Issuance of a Summons. Date of Hearing: \_\_\_\_\_  
☒ This petition shall supercede the original petition for warrant or summons dated 10/13/93.

*[Signature]*  
\_\_\_\_\_  
Signature of Judicial Officer

*3-17-06*  
\_\_\_\_\_  
Date